

Remarks/Arguments:

Claims 1-8, 10-16, 18, 19, 22, and 23 are presently pending. All pending claims stand rejected. Applicant herein amends claims 1, 2, 5, 13, 14, 19, and 22; cancels claims 12 and 18; and adds claims 24 and 25. Support for the claim amendments and newly added claims is found throughout the specification of the application as originally filed and specifically at page 25, line 12 through page 26, line 2 and at page 120, lines 3-8. Applicant contends that no new matter is added through the claim amendments and newly added claims and respectfully request entry and approval of same.

Section 3 of the Office Action recites that "claims 1-8, 10-16, 18, 19, 22, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Spaur (US 5,732,074)" (herein Spaur). In addition, Section 4 of the Office Action recites that "claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur [] in view of Colson (US 6,181,994)" (herein Colson). Reconsideration is respectfully requested.

Spaur is directed to a mobile portable wireless communication system. In Spaur, an apparatus compatible with standardized network communication links manages communication of information between a remote computer and a vehicle. Communication may take place between the remote computer and the vehicle over the Internet.

Colson is directed to a method and system for vehicle initiated delivery of advance diagnostics to a vehicle. In Colson, diagnostics are loaded into a vehicle and diagnostic results are sent to a diagnostic center. The diagnostics and results may be communicated over the Internet.

Claim 1 as amended includes at least one feature that is neither disclosed nor suggested by Spaur and Colson. Claim 1 includes the following limitations:

1. A network system for effectuating data communication between a vehicle and a data processing resource, said system comprising:
an in-vehicle device installed in said vehicle, said in-vehicle device having a first wireless network connectivity interface; and
a store display accessible by a customer, said store display equipped with a communication interface device having:
a second wireless network connectivity interface, said second wireless network connectivity interface adapted to data

communicate with said first wireless network connectivity interface; and

a communication interface to communicate data between said second wireless network connectivity interface and said data processing resource adapted to effectuate data communication between said in-vehicle device and said data processing resource.

This means that a network system that effectuates data communication between a vehicle and a data processing resource in accordance with claim 1 includes an in-vehicle device installed in the vehicle and a store display accessible by a customer. The store display is equipped with a communication interface device that includes a second wireless network connectivity interface for communicating with the first wireless network connectivity interface of the in-vehicle device and also includes a communication interface to communicate between the second wireless network connectivity interface and the data processing resource to effectuate data communication between the in-vehicle device and the data processing resource.

Spaur and Colson (alone or in combination) fail to disclose, teach, or suggest a store display that is accessible by a customer. The Office Action acknowledges that Spaur "fails to teach a communication device physically located at a store display accessible by a customer." The Office Action recites, however, that "Colson teaches a system that delivers diagnostic information from a vehicle to a diagnostic service center upon request" and that, "Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made to know that Spaur would connect the vehicle diagnostic system [] to a diagnostic center for purposes of servicing said vehicle." The Office Action goes on to recite that "this feature would avoid the need for a vehicle to visit a diagnostic center when said vehicle is experiencing operational problems." Thus, the Office Action seems to imply that the diagnostic center of Colson is equivalent to the store display set forth in claim 1. Applicant respectfully disagrees.

As set forth above, Colson describes a system in which diagnostic information from a vehicle is delivered to a diagnostic service center. Additionally, Colson teaches the ability to download more advance diagnostic routines into the vehicle based on the need as determined by the vehicle. Thus, Colson teaches a diagnostic service center that would be used by service technicians to remotely diagnose a vehicle rather than a store display accessible by a customer as required by claim 1. In fact, Colson is entirely devoid of any

teaching or suggestion of a store display accessible by a customer. A store display in accordance with claim 1 would allow a customer to research product information, identify products, and make product selections. See application as originally filed at page 25, lines 17-21. Such functionality is neither provided nor contemplated by the diagnostic service center Colson. Therefore, Colson does not disclose, teach, or suggest communicating information to a store display accessible by a customer as set forth in claim 1.

Thus, neither Colson nor Spaur disclose, teach, or suggest a store display that is accessible by a customer as set forth in claim 1. Since Colson and Spaur fail to teach each and every limitation of claim 1, applicant contends that claim 1 is allowable over Colson and Spaur. Accordingly, applicant respectfully requests that the rejection of claim 1 be withdrawn.

Claims 13 and 19, while not identical to claim 1, include features similar to claim 1. Accordingly, applicant contends that claims 13 and 19 are also allowable over Colson and Spaur for the reasons set forth above that claim 1 is allowable and respectfully requests that the rejection of claims 13 and 19 be withdrawn.

Claim 19 includes the additional feature of "receiving a selection of one or more of said plurality of return digital content from said customer at said store display." This feature is nowhere found in Colson and Spaur. Accordingly, applicant contends that claim 19 is allowable over Colson and Spaur for at least this additional reason.

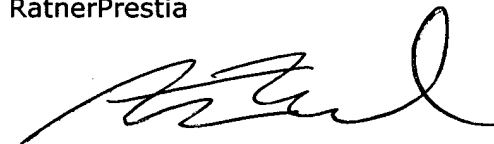
Claims 2, 8, 10, 11, 14-16, 22, and 23 each depend from one of independent claims 1, 13, and 19 (either directly or indirectly) and, thus, include all the features of the independent claim from which they depend. Therefore, applicant contends that claims 2, 8, 10, 11, 14-16, 22, and 23 are allowable over Colson and Spaur for at least the reasons set forth above that the independent claims from which they depend are allowable.

Newly added claims 24 and 25 recite that the "store display includes a plurality of products for sale." The art of record is devoid of any teaching or suggestion of a store display including a plurality of products for sale. Accordingly, applicant contends that newly added claims 24 and 25 are allowable.

In view of the amendments and remarks set forth above, applicant contends that the above-identified application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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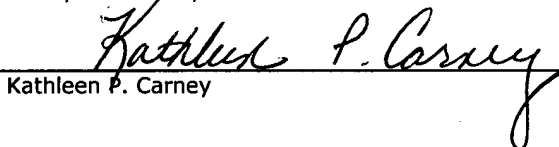
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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2005.


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